

UNITED STATES DISTRICT COURT
SOUTHERN DISTRICT OF TEXAS
HOUSTON DIVISION

DAVE CARLTON, *et al.*,

Plaintiffs,

v.

FRED CANNON, *et al.*,

Defendants.

No.: 4:15-cv-00012

CLASS ACTION

Chief Judge Lee H. Rosenthal

[PROPOSED] ORDER GRANTING ATTORNEYS' FEES, REIMBURSEMENT OF EXPENSES, AND COMPENSATORY AWARD TO LEAD PLAINTIFFS

Having considered the moving papers on Lead Plaintiffs' Motion for Award of Attorneys' Fees, Reimbursement of Expenses, and Compensatory Award to Lead Plaintiffs and all other matters presented to this Court, and good cause appearing therefore:

IT IS HEREBY ORDERED, ADJUDGED AND DECREED THAT:

1. The Court GRANTS Plaintiffs' Counsel's¹ request for attorneys' fees in the cash amount of one-third of the Settlement Fund (\$1,500,000). The Court finds that the amount of fees awarded is fair and reasonable in light of the time and labor required, the novelty and difficulty of the case, the skill required to prosecute the case, the experience and ability of the attorneys, awards in similar cases, the contingent nature of the representation and the result obtained for the Class. The fee award shall be distributed to Plaintiffs' Counsel according to the following schedule: \$375,000 may be disbursed to Plaintiffs' Counsel from the entire fee award (representing 25%) immediately after the Effective Date. After the Court enters an order

¹ "Plaintiffs' Counsel" includes Lead Counsel The Rosen Law Firm, P.A. and Levi & Korsinsky LLP, as well as Liaison Counsel Gascoyne & Bullion, P.C. and additional liaison counsel Gresham P.C.

authorizing the initial distribution of the Settlement Fund to the Authorized Claimants, \$562,000 may be distributed to Plaintiffs' Counsel from the entire fee award (representing 37.5%) at the same time as the initial distribution is made to Authorized Claimants. Upon the completion of the distribution of the entire Settlement Fund payable to Authorized Claimants, the remaining \$562,000 from the entire fee award (representing 37.5%) may be distributed to Plaintiffs' Counsel. Said fees shall be allocated among Plaintiffs' Counsel in a manner which, in their good-faith judgment, reflects each counsel's contribution to the institution, prosecution and resolution of the Action.

2. The Court GRANTS Plaintiffs' Counsel's request for reimbursement of reasonable and necessary expenses incurred in the prosecution of the Actions in the amount of \$177,695.18 together with the interest earned thereon for the same time period and at the rate earned by the Settlement Fund until paid. The amount of \$177,695.18 in reimbursement for expenses may be distributed to Plaintiffs' Counsel immediately after the Effective Date.

3. The Court hereby GRANTS Lead Plaintiffs' reimbursement of their reasonable costs and expenses (including lost wages) directly related to their representation of the Settlement Class in the total amount of \$15,000 or \$7,500 each.

SO ORDERED:

Dated: _____, 2017

HON. LEE H. ROSENTHAL
UNITED STATES DISTRICT JUDGE